



**ARIZONA BOARD OF ATHLETIC TRAINING**

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**REGULAR SESSION MEETING MINUTES**

**September 14, 2009**

**Board Members Present:** Scott Linaker, ATC – Chairman  
Laurie White, ATC – Vice-Chair  
Michael Nesbitt, ATC  
Jennifer Fadeley, Public Member

**Board Members Absent:** Michael Vaughn, Public Member

**Staff Present:** Wendy Hammon, Executive Director  
Christie Van Wormer, Administrative Assistant

**Legal Staff Present:** Montgomery Lee, Assistant Attorney General

**Call to order**

The regularly scheduled meeting of the Arizona State Board of Athletic Training was called to order at 9:10 a.m. Chairman, Scott Linaker presiding.

**Approval of minutes**

**Meeting Minutes of August 3, 2009**

Laurie White moved to approve the meeting minutes of August 3, 2009 as written. Mike Nesbitt seconded the motion. The motion passed 4-0.

**Special Meeting Minutes of August 17, 2009**

Laurie White moved to approve the special meeting minutes of August 17, 2009 as written. Jennifer Fadeley seconded the motion. The motion passed 4-0.

**Review Board Meeting Schedule**

October 5, 2009 at 9:00 a.m. at 5060 N. 19<sup>th</sup> Avenue

November 2, 2009 (telephonic) at 9:00 a.m.

There were no current conflicts with these meeting dates.

**Declaration of conflicts of Interest**

Mr. Linaker asked if anyone needed to declare a conflict of interest based on anything on the agenda. None of the Board members indicated that they needed to do so.

### **Initial Review of Complaints**

1. Board staff reported that there were no new complaints filed.

### **Discipline Status Report**

AT 9:15 a.m. Mike Nesbitt moved to go into executive session for the purpose of seeking legal guidance. The motion was seconded by Laurie White and passed 4-0.

The Board returned to public session at 9:28 a.m.

1. Tara Hodge – Board staff reported that the latest certified letter to Ms. Hodge had been returned to the office marked with a forwarding address of California. The Board directed staff to sent Ms. Hodge another certified letter to the California address to give her one more opportunity to explain her apparent lack of compliance with the Board order. Additionally, staff is to contact her employer of record to ascertain her employment status.
2. Aaron Howard – Board staff reported that no additional information has been received from Aaron Howard.
3. Daniel Wright – Board staff reported that no additional information has been received from Mr. Wright.
4. Theresa Doherty – Board staff reported that no additional information has been received from Ms. Doherty.
5. Taleen Horton – Board staff reported that Ms. Horton had signed her consent agreement.

Staff reported also that all quarterly reminder letters had been sent.

### **Substantive review, discussion, and vote regarding the applications for licenses as follows**

#### **a. Initial applications**

Teresa Balam	Alexandra Bright	Samantha Campbell	Marissa Carrizales
Kayla Chalfant	Nicole Chimera	Michael Cruz	Ashley Grenz
Candace Leach	Jennifer Lechtenberg	Jeremy Lewis	Christen Lolley
William Martin	Mohammed Mirza	Christopher Neumann	Andrew Powers
Kelly Rogers	Terricka Stewart	Natasha Tibbetts	

Michael Nesbitt moved to approve the applicants for licensure listed on the “initial applicant list”. Jennifer Fadeley seconded the motion. The motion passed 4-0.

#### **b. Renewal applications**

Melissa Ballance	Lisa Gandolfi	Michael McKenney	Ilene Miller
Ricardo Moreno	Michael Palmer	Kevin Pillifant	Ryan Pinson
Melissa Ramirez	Connie Rauser	Breanna Reeser	Lindsay Reh
Michael Rich	Frederick Richardson	Lawrence Rivero	Laura Robertson

Board of Athletic Training  
September 14, 2009  
Regular Session Meeting Minutes

Maritza Rodriguez	Randy Roetter	Amber Rogers	Randy Ross
Carlos Rue	Lisa Ruiz-Gonzales	Jared Rummage3	Derek Russ
Anthony Sandersen	Eric Sauers	Joanne Scandura	Heather Schjei
Melissa Schneider	Jason Serbus	Kristen Severson	Clive Sharpe
Veronica Shaw	James Shearer	Terrance Sheridan	Mark Sherlock
Jeremy Shindledecker	Sarah Shute	Josepho Silvey	Nancy Simmons
John Sing	Lauren Small	Alison Snyder	James Southard
Mark Stephens	Peter Stevens	Nathan Stewart	Andrew Stover
Ann Studniski	Tetsuro Sueyoshi	Michael Suman	Monica Surguine
Christopher Swanner	Nicole Sweer	Jacob Tafoya	Joseph Tarantino
Melissa Tarantino	Jennifer Teeters	Anna Thatcher	Mathew Thomas
Tamera Valovick Mcleod	Ashley Ward	Kate Watkins	Christopher White

Laurie White moved to approve the applicants for renewal with the exception of Lisa Gandolfi, Michael McKenney, Ilene Miller, and Ricardo Moreno. Ms. White also recused herself from the vote on Christopher White. Jennifer Fadeley seconded the motion and it passed 4-0.

Michael Nesbitt moved to approve the renewal license of Christopher White. Jennifer Fadeley seconded the motion and it passed 3-0.

c. Renewal applications: (continued practice without current license)

The Board entertained a motion from Laurie White at 9:35 a.m. to go into a second executive session to obtain legal guidance. The motion was seconded by Michael Nesbitt and passed 4-0

At 9:45 a.m. the Board returned to public session.

The Board discussed the renewal application of Lisa Gandolfi whose license expired 16 months ago and who had practiced without a license for a period of 11 months. Ms. Gandolfi was present to answer questions posed by the Board. After considerable questioning and discussion Laurie White moved to offer a consent agreement that includes 1 year probation, a civil penalty of \$250.00 and 3 CEUs of Medical Ethics training. If completed prior to the end of her probation, Ms. Gandolfi can be released from probation. Ms. Gandolfi's license can be issued subject to the signing of the agreement. Michael Nesbitt seconded the motion and it passed 4-0.

Laurie White moved to approve the renewal application of Lisa Gandolfi. Jennifer Fadeley seconded the motion and it passed 4-0.

The Board discussed the renewal application from Mr. Michael McKenney whose license had expired July 1, 2009 and he continued to practice until August 4, 2009. After questioning Mr. McKenney and discussing the matter fully, Laurie White moved to offer Mr. McKenney a consent agreement which included 1 year probation and 3 CEUs of Medical Ethics training. Early termination of probation would occur at such time as Mr. McKenney complied with the terms of the agreement. Mr. McKenney proposed to the Board that instead of the Medical Ethics training consideration be given to permitting him the ability to conduct an outreach program to assist in assuring that other ATs fully understand the need to display their license,

Board of Athletic Training  
September 14, 2009  
Regular Session Meeting Minutes

the need for the timely renewal of their license and the difference between AzATA and the Board of Athletic Training.

At 10:50 a.m. Laurie White moved to go into the third executive session for the purpose of obtaining legal guidance. Jennifer Fadeley seconded the motion and it passed 4-0. The Board returned to public session at 11:15 a.m.

The Board agreed to entertain Mr. McKenney's proposal and instructed him to put his proposal in writing for presentation at the October Board meeting.

At the conclusion of the discussion Michael Nesbitt moved to approve the renewal application of Mr. McKenney. Laurie White seconded the motion and it passed 4-0.

The Board next addressed the renewal application of Ricardo Moreno who was not present at the Board meeting. After a brief discussion of this application which involved the possibility of practicing without a license, the Board determined that there was not sufficient information to appropriately make a determination. The Board directed staff to send Mr. Moreno a letter requesting specifics which will be presented at the next Board meeting. Until that time the renewal of Mr. Moreno's application is on hold.

The Board concluded discussions of renewal applications with that of Ilene Miller who practiced without a license. Ms. Miller was present and available to answer questions by the Board. Ms. Miller's license expired July 1, 2009 and she practiced without a license from August 1 until August 12, 2009. During the questioning Ms. Miller admitted that her license had not been on display as required by law. After careful consideration the Board heard a motion by Laurie White to offer Ms. Miller a consent agreement for practicing without a license to include not displaying her license. The agreement would include 1 year of probation which would end at the one year timeframe provided there were no further violations. The motion was seconded by Jennifer Fadeley and passed 4-0.

Michael Nesbitt moved to approve the renewal application of Ilene Miller and the motion was seconded by Laurie White. The motion passed 4-0.

### **Review, discussion and Possible Action – Other Business**

#### **a. Athletic Training Sunrise**

Ms. Hammon had provided the Board via email documents prepared by AzATA relating to the Sunrise of the AT Board. In particular the Board had wanted to review the proposed statutory language assembled by the AzATA. The Board did have a couple of suggestions. One included a consistency issue between the terms "people and persons". A second was a concern about the use of the term "illness" which may be a red flag if not marketed carefully. A third issue was a change in the discipline statute to include some of the issues discussed in the meeting's executive session. Board staff was directed to share these concerns with AzATA.

### **Review, Discussion and Possible Action on Administrative Matters**

#### **a. Revenue and Expenditure Report**

The Board was presented with the new fiscal year budget. Given that it is early in the year, there was not anything that warranted discussion.

**b. Review of Administrative Project Status**

**Office Space** – The Executive Director reported space has been found and that the landlord seems in favor of the proposal from the Board. We are waiting for written confirmation of the acceptance by the landlord and the move will be underway. The location is 7<sup>th</sup> Avenue and Indian School. Staff also advised the Board that there may be a change in phone numbers although there will be a referral to the new number if the old one is called.

**Lawsuit** – The Executive Director advised the Board that there has been no additional information forthcoming regarding the Microsoft lawsuit.

**Risk Management** – The Executive Director reported that Risk has conducted another review of the facts and that the money taken from the office will be returned. A follow up was done due to the deposit not reflecting in the account and word is that it will be transferred this week.

**Governor's Office** – There is no change with respect to the moratorium on rule making.

**Executive Director** – The Board discussed the value of having a representative present at the Occupational Therapy Board meeting on Friday to provide input regarding the executive director position. Laurie White moved to authorize Michael Nesbitt to represent the Board's interest at this meeting. The motion was seconded by Jennifer Fadeley and passed 4-0.

**AT Sunset** – The Executive Director advised the Board that the Sunset response was delivered to the legislature prior to the deadline. The Executive Director also provided Board members copies of the submission so that they could become familiar with what was provided in the event of the need to respond to questions. The Executive Director told the Board that now it was a waiting game and that the best guess was that questions may come mid-November into December but that the Board office would just have to monitor the activity of the legislature and be ready to respond when needed. She told the Board that when activity began she would notify them by email.

Scott Linaker asked the Board if there were any agenda items that should be noted for the next meeting. Mr. Lee requested that HB 2306 be added to the agenda as he had new information to provide the Board.

**Call to the Public**

A call to the public was made and no public comment was received.

**Adjournment**

Board of Athletic Training  
September 14, 2009  
Regular Session Meeting Minutes

There being no further business before the Board, Laurie White made a motion to adjourn the meeting which was seconded by Michael Nesbitt. The meeting adjourned at 11:55 a.m.

Respectfully submitted,

Wendy H. Hammon  
Executive Director